



Remarks

In response to the Examiner's Action mailed 1/26/05, Applicant amends his application and requests reconsideration in view of the following remarks. Claim 10 is amended to correct an obvious error in dependency. It appears that the Claim was written to depend on claim 8 where it should have been written to depend on claim 9. Since no claims are added nor canceled, claims 1-18 remain pending.

Four independent claims are pending in this application, claims 1, 13, 16, and 18. Those claims differ in scope and each of the independent claims was rejected as obvious based upon different combinations of the three references applied in rejecting the examined claims. The respective rejections are discussed below with respect to the four independent claims and, to the extent necessary, the dependent claims.

Claim 1 and its dependent claims 2 through 12 were rejected as unpatentable over Kamakura et al (U.S. Patent 6,047,310, hereinafter Kamakura) in view of Deo et al. (U.S. Patent 6,304,914, hereinafter Deo). This rejection is respectfully traversed.

Claim 1 requires, in addition to: maintaining a profile for each of a plurality of senders; establishing a recipient preference and delivering the message to the recipient; generating *a recipient comprehensible* message that comprises information according to the recipient preference *and* the profile *for each of a plurality of senders* (emphasis added).

Kamakura is concerned with sending an advertisement or message to a recipient when a single advertiser's information transmission requirement aligns with a recipient's receiver attribute. (col. 4, lines 35-48) In rejecting Claim 1, the Examiner properly acknowledged that Kamakura fails to teach generating a message that comprises information according to the recipient preference and the profile for each of a plurality of senders as required by claim 1.

To address the lack of all elements of Claim 1 existing in Kamakura, Examiner relies on Deo. Deo teaches appending and compressing a first and second data packet destined for the same address in order to save transmission bandwidth and destination, delivery power consumption when wireless systems are anticipated. The compressed, appended message if received is then separated into their original individual messages.

(See Abstract and Col. 1, lines 52-67, particularly, lines 66-67 “the compressed data packet needs to be separated into individual messages after it is decompressed.”) The examiner relies on the motivation of saving power consumption to conclude that it would have been obvious to combine the teaching of Deo with Kamakura to achieve claim 1 even though there is no necessity in Kamakura or in applicant’s invention of saving or reducing power consumption.

Assuming for a moment that the motivation suggested by Examiner is viable for combining the references, the resultant teaching would be to temporarily (must eventually be separated to be properly processed by receiving device, Deo Col. 1, lines 66-67) append (Deo) two independent advertisements already aligned with a common recipient’s attribute (Kamakura, as above where the attribute is a recipient’s destination address).

Deo is concerned with combining one or more messages for an entirely different function, entirely supplanting end-user or recipient understandability. The purpose of Deo is readily apparent from its column 7, lines 47-62. According to that passage, each message is clearly destined for an “Exploder” program, which must programmatically break the message back into parts that are in a readable form that is the earliest possible usage in an end-user format. Thus, Deo is merely using a common form of multiplexing/de-multiplexing data for more efficient transmission. Applicant teaches a messaging system meant to combine meaningful elements of information from more than one sender and deliver these combined elements of information in a combined readable format for end-user consumption, in other words, “Generating a recipient comprehensible message comprising information according to the recipient preference and the profile for each of a plurality of senders.”

Nowhere in Kamakura, Deo or any combination thereof does it teach generating a message comprised of the profile of a plurality of senders that is understandable to an end-user. Accordingly, the rejection to claims 1-12 should be withdrawn and claims 1-12 allowed.

Similarly, the dependent claims 2 through 12 cannot be obvious in view of the purported combination of Kamakura, the admitted prior art, and/or Deo, and further in view of Lanzillo, JR et al (U.S. Patent 20020032602), Finney et al (U.S. Patent 6,182,118), and Schiavone et al. (U.S. Patent 20020120702). First, there has been no

adequate demonstration of any motivation for the combination in the prior art, Kamakura, or Deo. Second, even if some kind of combination of Kamakura and Deo could be made, the resultant teaching would fail to teach the claimed invention as previously discussed. Thus, obviousness of claims 1 through 12 has not been demonstrated and the rejection respectfully traversed.

Claim 13 and the respective dependent claims 14 and 15 were rejected on the same basis as claim 1, from which those claims ultimately depend, and further in view of Lanzillo, JR et al (U.S. Patent 20020032602), Finney et al (U.S. Patent 6,182,118), and Schiavone et al. (U.S. Patent 20020120702). In other words, “Generating a recipient comprehensible message according to a collaboration of the first action and the second action”. This rejection is also respectfully traversed.

Claim 16 and the respective dependent claim, 17, was rejected on the same basis as claim 1, and further in view of Lanzillo, JR et al (U.S. Patent 20020032602), Finney et al (U.S. Patent 6,182,118), and Schiavone et al. (U.S. Patent 20020120702). This rejection is also respectfully traversed.

In the rejection of claim 16, the Examiner mentioned that Kamakura “maintained” a relationship with various senders and recipients. However, the relationships defined in Kamakura refer to implications provided by demographics – not by a “Maintained” relationship as described by Applicant in claim 16.

Regarding Claim 18, and for the same reasoning used in Claim 1, Kamakura and Deo do not describe the combination of “a plurality of recipient comprehensible messages”, having content derived from seemingly unrelated senders “comprising content according to a collaboration of the relationship of the one of the plurality of recipients and the relationship profile of each of the plurality of senders” to be read by single end-user recipient.

For the detailed reasons provided, none of the rejections finds adequate factual nor legal support in the reference or the Official Action. Thus, upon reconsideration, all rejections should be withdrawn and claims 1-18 allowed. If a new rejection is made based upon newly cited prior art or different legal grounds, the rejection cannot properly be a final rejection since Kamakura and Deo teach away from a collaboration of various,

seemingly unrelated, senders in the creation of a end-user (recipient) comprehensible message.

Amendment to the claims:

Claim 1

Line 8, Remove [a single, comprehensive] and replace with “ a recipient comprehensible”.

Line 12, Remove [the single, comprehensive message] and replace with “the message”.

Claim 10

Line 3, Remove [The method of claim 8] and replace with “The method of claim 9”.

Claim 13

Line 20, Remove [a single message] and replace with “a recipient comprehensible message”.

Line 23, Remove [the single message] and replace with “the message”.

Claim 14

Line 27, Remove [the single message] and replace with “the message”.

Claim 16

Line 7, Remove [generating a message] and replace with “generating a recipient comprehensible message”

Claim 18

Line 18, Remove [a plurality of unique, comprehensive messages, each unique, comprehensive message] and replace with “a plurality of recipient comprehensible messages, each message”.

Line 25, Remove [unique, comprehensive message] and replace with “message”.

Rewritten amended claims

Claim 1

A computer implemented method comprising:
 maintaining a profile for each of a plurality of
 senders;
 Establishing a recipient preference;
 Generating a recipient comprehensible message comprising
 information according to the recipient preference
 and the profile for each of the plurality of
 senders; and
 Delivering the message to the recipient.

Claim 10

The method of claim 9 wherein one or more of the one or
more directives comprises a user defined request.

Claim 13

A computer implemented method comprising:
 maintaining a first profile comprising a plurality of
 filters of a first sender;
 Maintaining a second profile comprising a plurality of
 filters of a second sender;
 Associating a first action with any combination of the
 plurality of filters of the first sender;
 Associating a second action with any combination of the
 plurality of filters of the second sender;
 Generating a recipient comprehensible message according to a
 collaboration of the first action and the second
 action; and
 Delivering the message to a recipient

Claim 14

The method of claim 13, further comprising maintaining a third profile of the recipient, wherein delivery of the message is determined in accordance with the third Profile.

Claim 16

A computer implemented method comprising:

- Maintaining a first relationship with a first sender;
- Maintaining a second relationship with a second sender;
- Maintaining a third relationship with a recipient; and
- Generating a recipient comprehensible message according to a combination of the first relationship, the second relationship and the third relationship.

Claim 18

A computer implemented method comprising:

- maintaining a relationship profile for a plurality of senders;
- maintaining a relationship for a plurality of recipients;
- Generating a plurality of recipient comprehensible messages, each message corresponding to one of the plurality of recipients and comprising content according to a collaboration of the relationship of the one of the plurality of recipients and the relationship profile of each of the plurality of senders; and

Delivering the message to its corresponding recipient.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Alan W. Fink".

Alan W. Fink

Inventor